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12 UNITED STATES DISTRICT COURT  
13 EASTERN DISTRICT OF WASHINGTON

14 UNITED STATES OF AMERICA,

15  
16 Plaintiff,

17  
18 v.

19 CODY ALLEN EASTERDAY,

20 Defendant.  
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Case No. 4:21-CR-06012-SAB

**DECLARATION OF CARL J.  
ORES KOVICH IN SUPPORT OF  
DEFENDANT'S MOTION FOR  
SENTENCE REDUCTION UNDER  
18 U.S.C. § 3582(c)(2)**

## DECLARATION OF CARL J. ORESKOVICH

I, Carl J. Oreskovich, declare and state as follows:

1. I am an attorney, at Etter, McMahon, Lamberson, Van Wert & Oreskovich, P.C., counsel for Cody Allen Easterday in the above captioned matter.

2. Jeffrey Jacobovitz, Justin Ferraro, both of the law firm Arnall Golden Gregory LLP, and myself, have participated in several meet and confers with counsel for the Government over the course of December 2023 and January 2024 regarding the Zero-Point Offender amendment, U.S.S.G. § 4C1.1, and its applicability to Mr. Easterday.

3. On January 25, 2024, Jeffrey Jacobovitz, Justin Ferraro, and I met and conferred with counsel for the Government, John Scanlon. The purpose of this conference was to discuss the possibility of stipulation between Mr. Easterday and the Government consenting to a modified sentence pursuant to U.S.S.G. § 4C1.1.

4. During this meeting, the Government informed us that the Government does not contest Mr. Easterday's eligibility as a Zero Point Offender or the applicability of a modified sentencing range of 97 to 121 months given this eligibility. Unfortunately, we were not able to arrive at an agreed sentencing reduction.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct and that this declaration was executed on January 31, 2024 in Spokane, Washington.

Dated: January 31, 2024.

By: /s/ Carl J. Oreskovich  
Carl J. Oreskovich,